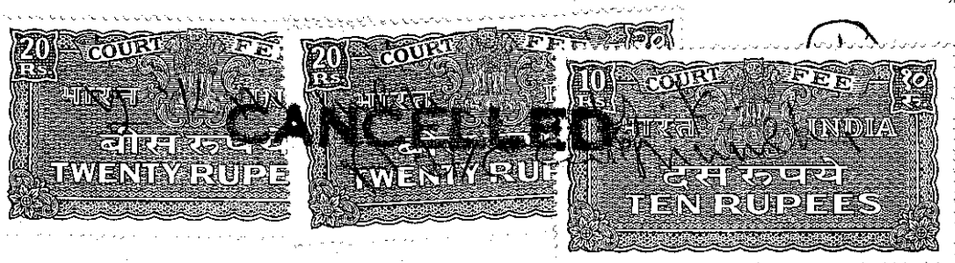
(3)



CP 501 P 1317

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

Writ Petition (Mandamus/Prohibition/Certiorari/ Quo-Warranto) No. 406 of 1995

BETWEEN

1. M/s M.P. Oil Extraction Ltd., a Company duly incorporated under the privisions of Indian Companies Act, 1956 and having its registered office at Jolly Makers, Nariman Point, Bombay Maharashtra and having their factory at Bhanpuri Industrial Area, Raipur, Tahsil and District Raipur, M.P.

2. Shri Suresh Kumar Manik, son of Late Shri Dayalal Manik, aged about 60 years, Authorised Director of M/s M.P. Oil Extraction Ltd., resident of Chhotapara, Raipur City, Tahsil and District Raipur, M.P. ....PETITIONERS

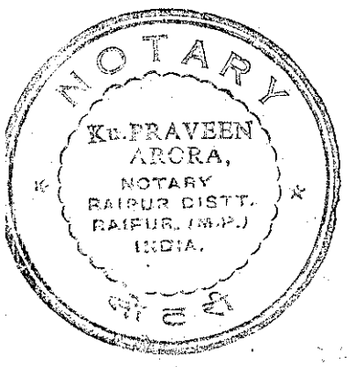
VERSUS

1. Union of India, through the Secretary Union Ministry of Telecommunication, Telecom Commission, Sanchar Bhawan, Ashoka Road, New Delhi-110011

2. Shri R.N. Goyal, The Chief General Manager, M.P. Circle, Telecom Commission, Bhopal.

3. Telecom District Manager, O/O The Telecom District Manager, Raipur Auto Exchange, G.E. Road, Raipur, Tahsil and District Raipur, M.P.

4. Accounts Officer (TR), Office of Telecom Divisional Manager, G.E. Road, Raipur, Tahsil and District, Raipur, M.P. ....RESPONDENTS



PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA

The petitioners above named most respectfully beg to submit as under:-

20 FEB 1995

....2.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.406/95 **सन्** ~~200~~

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9-8-2005 Mr. B.P. Sharma, counsel for the petitioners. Mr. Raghavendra Pradhan, Central Government Counsel for the respondents. Heard both the counsel. By the instant writ petition under Articles 226 & 227 of the Constitution of India, the petitioners have questioned the propriety of notices (Annexures P-1 & P-2), whereby the petitioners have been asked to deposit the security amount of Rs.5,000/- & Rs.15,000/-, respectively, against telephone connection Nos.323175, 323670, 324327 & 323674. Learned counsel for the petitioners submits that it is true that the bill of the petitioners are around about Rs.10,000/- per month, but the petitioners are regularly depositing the amount, therefore, there was no ground for the respondents to enhance the security deposit without hearing the petitioners. Learned counsel relied upon the decision of Karnataka High Court in the matter of **K. Channappa and others vs. The Union of India and others** reported in **AIR 1991 Karnataka 18**, wherein the Court held that before issuance of the notice of enhancement in the facts and circumstances of the case, the telephone authorities ought to have given opportunity of hearing to the petitioners.	

XI-HC-22

(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.406/95 **सन्** ~~200~~

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the above order and looking to the facts and circumstances of the present case, the petitioners are directed to make a representation to respondent No.3 raising all their points within a period of four weeks from today and in turn, respondent No.3 shall decide the representation in an objective manner after considering the points raised by the petitioners, in accordance with law. Till the representation of the petitioners is decided the respondents should not insist upon the deposit of security amount as per the notices. With the above observation and directions, the writ petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	
Soma		

(पीछे देखिये)